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Date: September 12, 2003  
To: Examiner Kevin Wood  
Company/Org: U.S. Patent and Trademark Office, Group 2874  
Telephone: 703.605.5296  
Facsimile: 703.872.9318

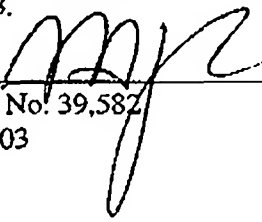
From: Andrew A. Abeyta, Reg. No. 39,582  
Telephone: 602.313.3345  
Facsimile: 602.313.4559

Number of pages (including this page): 12

**Re: U.S. Pat. Application Serial No. 10/016,855 (Attorney Docket No. H0002310)  
Response to Election/Restriction**

**CERTIFICATE OF MAILING (37 C.F.R. § 1.8)**

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being deposited by facsimile transmission to facsimile number (703) 872-9318 addressed to: Commissioner for Patents, Box Non-Fee Amendment, POB 1450, Alexandria, VA 22313-1450, on this 12<sup>th</sup> day of September 2003.

  
\_\_\_\_\_  
Andrew A. Abeyta, Reg. No. 39,582  
Dated: September 12, 2003

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Law Department  
Mail Stop AZ15-1E20

If you did not receive all pages or if pages are illegible, please call 602.313.4005.

PATENT  
Attorney Docket No. H0002310

**CERTIFICATE OF MAILING (37 C.F.R. § 1.8)**

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, POB 1450, Arlington, VA 22313-1450, on this 12th day of September, 2003.

Signed:  
Printed name:  
Date:

Andrew A. Abeyta  
September 12, 2003

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Jimmy A. Tatum : Docket No. H0002310  
(formerly V6370-2310)  
Serial No. : 10/016,855 : Art Unit No. 2874  
Filing Date : Dec. 13, 2001 :  
Invention Title : *Methods, Systems and Means for Providing Data Communications Between Equipment*  
Examiner : Kevin Wood :

**RESPONSE TO ELECTION / RESTRICTION REQUIREMENT**

Mail Stop Non-Fee Amendment  
COMMISSIONER FOR PATENTS  
P.O.B. 1450  
Arlington, VA 22313-1450

September 12, 2003

Sir:

This communication is in response to the election / restriction requirement dated August 12, 2003.

The election / restriction requirement requires the Applicant to elect Group I, Claims 1-10, 12-20 and 22, or Group II, Claims 11 and 21.

**PATENT**  
**Attorney Docket No. H0002310**

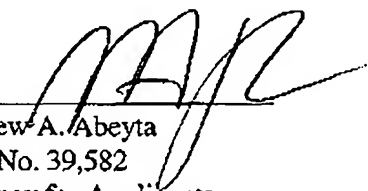
On May 21, 2003 Applicant filed a Preliminary Amendment canceling Claims 1-22, inclusive. As such, Applicant respectfully submit that the Preliminary Amendment renders the election / restriction requirement moot.

Enclosed is a copy of the Preliminary Amendment that was mailed to the Office on May 21, 2003. Also, enclosed is a copy of the Information Disclosure Statement and the Form 1449 that was submitted along with the Preliminary amendment (without the references, although Applicants would gladly resubmit the references should the Examiner not be able to locate them).

Please contact the following representative if questions regarding this response or the preliminary amendment should arise prior to examination.

Respectfully submitted,

Telephone: 602/313-3345  
Facsimile: 602/313-4559

By:   
Andrew A. Abeyta  
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Attorney for Applicants

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